

**UEC Tx amendment**

**Wren Stenger** to: Stacey Dwyer, Philip Dellinger, Ray Leissner, David Gillespie, Ben Harrison

11/30/2012 10:02 AM

Cc: "Bill Honker", Natalie Berry

From: Wren Stenger/R6/USEPA/US

To: "Stacey Dwyer" <dwyer.stacey@epa.gov>, Philip Dellinger/R6/USEPA/US, "Ray Leissner" <Leissner.Ray@epamail.epa.gov>, "David Gillespie" <Gillespie.David@epamail.epa.gov>, "Ben Harrison" <harrison.ben@epa.gov>

Cc: "Bill Honker" <honker.william@epa.gov>, Natalie Berry/R6/USEPA/US

Sent by EPA Wireless Email Services

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From: Charles Maguire [charles.maguire@tceq.texas.gov]

Sent: 11/30/2012 03:38 PM GMT

To: Wren Stenger; William Honker

Subject: Fwd: EPA letter

See attached

Sent from my iPhone

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Charles,

Attached are the: 1) Letter to EPA, 2) associated map, and 3) associated plat. I've given the hard copy to Noemi to send via certified mail today. Please let me know any further actions or assistance you may need. Thanks,

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Bryan W. Shaw, Ph.D., *Chairman*  
Toby Baker, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Zak Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 16, 2012

91 7108 2133 3935 1936 0479  
CERTIFIED MAIL

Mr. William K. Honker, P.E.  
Acting Director  
Water Quality Protection Division  
United States Environmental Protection Agency (EPA)  
Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

Re: Amended Request for Approval of Non-Substantial Underground Injection Control (UIC) Program Revision to Establish an Aquifer Exemption in the Goliad Formation, Goliad County

Dear Mr. Honker:

Please accept this amendment to TCEQ's pending request for approval of a non-substantial UIC Program revision to identify an exempted aquifer in the Goliad Formation in Goliad County. The TCEQ issued an order on April 29, 2011, designating a portion of the Goliad Formation as an exempt aquifer associated with UEC's in situ uranium mining project. In a letter dated May 24, 2011, the TCEQ submitted a request to EPA for approval of a non-substantial revision of the TCEQ's authorized UIC program to the exempted aquifer.

Notwithstanding the TCEQ's opinion that the submitted program revision request meets all applicable regulatory requirements, in a letter dated October 3, 2012 (received October 4, 2012), UEC has requested that the TCEQ's program revision to EPA be revised to reflect the following changes to this aquifer exemption:

The exempt area for Sand A be reduced from 423.8 acres to 96.17 acres; and

The exempt area for Sand B, Sand C, and Sand D be reduced from 423.8 acres to 307.03 acres.


In the exempt area for Sand A, the exemption will extend for a depth of 45 feet to 110 feet. In the exempt area for Sands B, C, and D, the exemption will extend from a depth of 110 feet to 404 feet. A copy of UEC's correspondence and a map of the revised area are enclosed. UEC explains that approximately 117 acres have been removed from the original exempted area for Sands B, C, and D, and 327.63 acres have been removed from the original area for Sand A and that private water wells within the buffer zone surrounding the revised area are not capturing groundwater from the designated exempted aquifer. The revised and reduced portion of the aquifer is completely within the exempted aquifer approved by the TCEQ on April 29, 2012; no additional portions of the aquifer are proposed to be exempted. Although the TCEQ does not consider this

Mr. William Honker  
Page 2  
November 16, 2012

demonstration necessary for EPA to approve TCEQ's program revisions request, the TCEQ agrees with the information provided by UEC and believes that the reduction in the size of the exempted aquifer will alleviate all EPA's concerns on the designation of this exempted aquifer. Accordingly, the TCEQ amends the pending program revision for this aquifer exemption to reflect this reduction in area as depicted on the enclosed map. With the exception of the reduced area of the exempted aquifer, all other information previously provided to EPA by TCEQ should continue to be considered as part of our program revision.

In accordance with 40 CFR §§144.7, 145.32, and 146.4, the TCEQ asks for your approval of this amended non-substantial program revision. If you have any questions or comments regarding this matter please contact me at [charles.magurie@tceq.texas.gov](mailto:charles.magurie@tceq.texas.gov). If you will be responding by letter, please include mail code MC 233 in the mailing address.

Sincerely,



Charles W. Maguire, Director  
Radioactive Materials Division  
Office of Waste  
Texas Commission on Environmental Quality

CWM/DHM/nlc

Enclosures

cc: Mr. Jose Torres, EPA Region 6, 6WQ-S

bcc: David H. Murry, TCEQ Radioactive Materials Division

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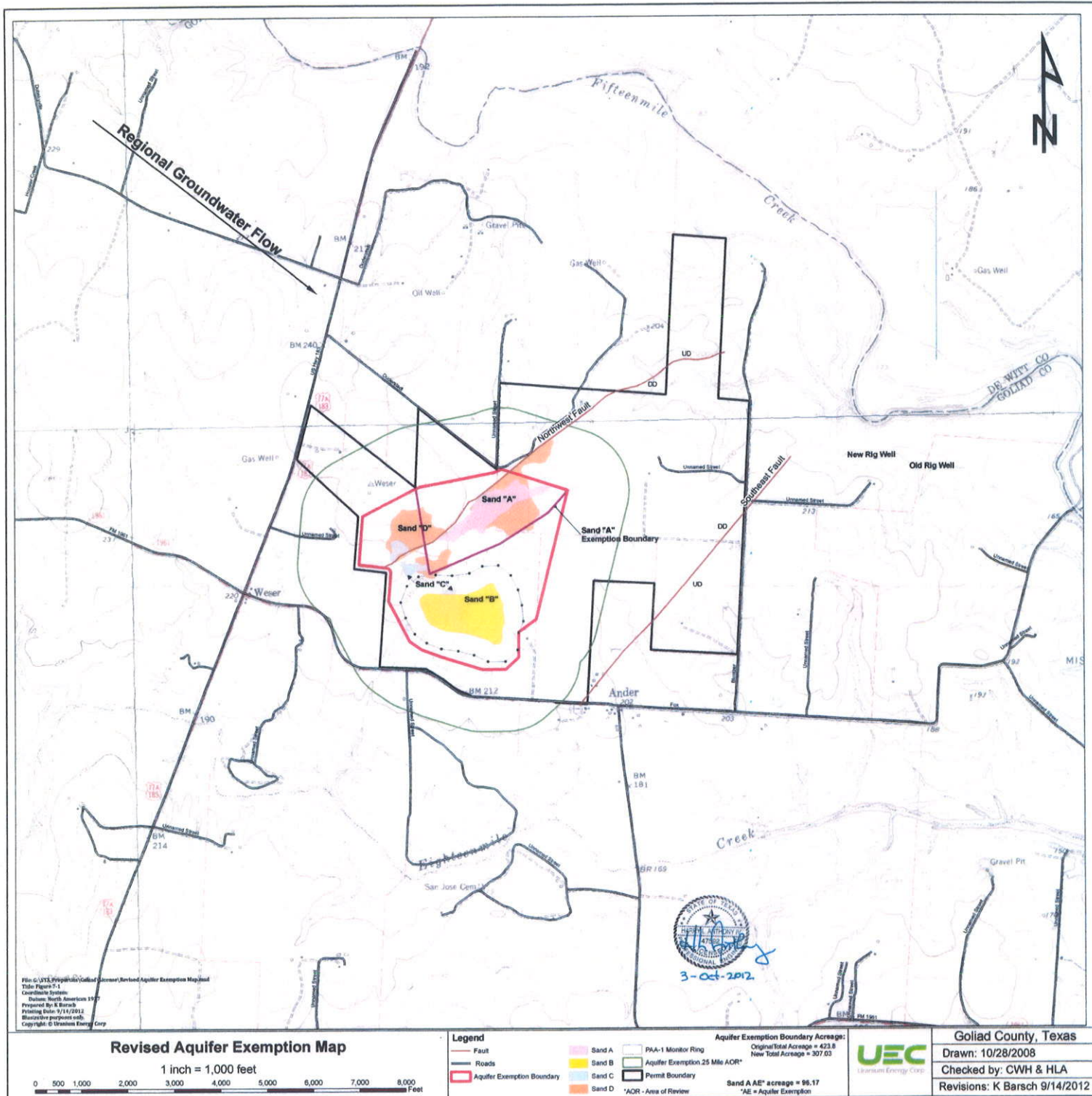


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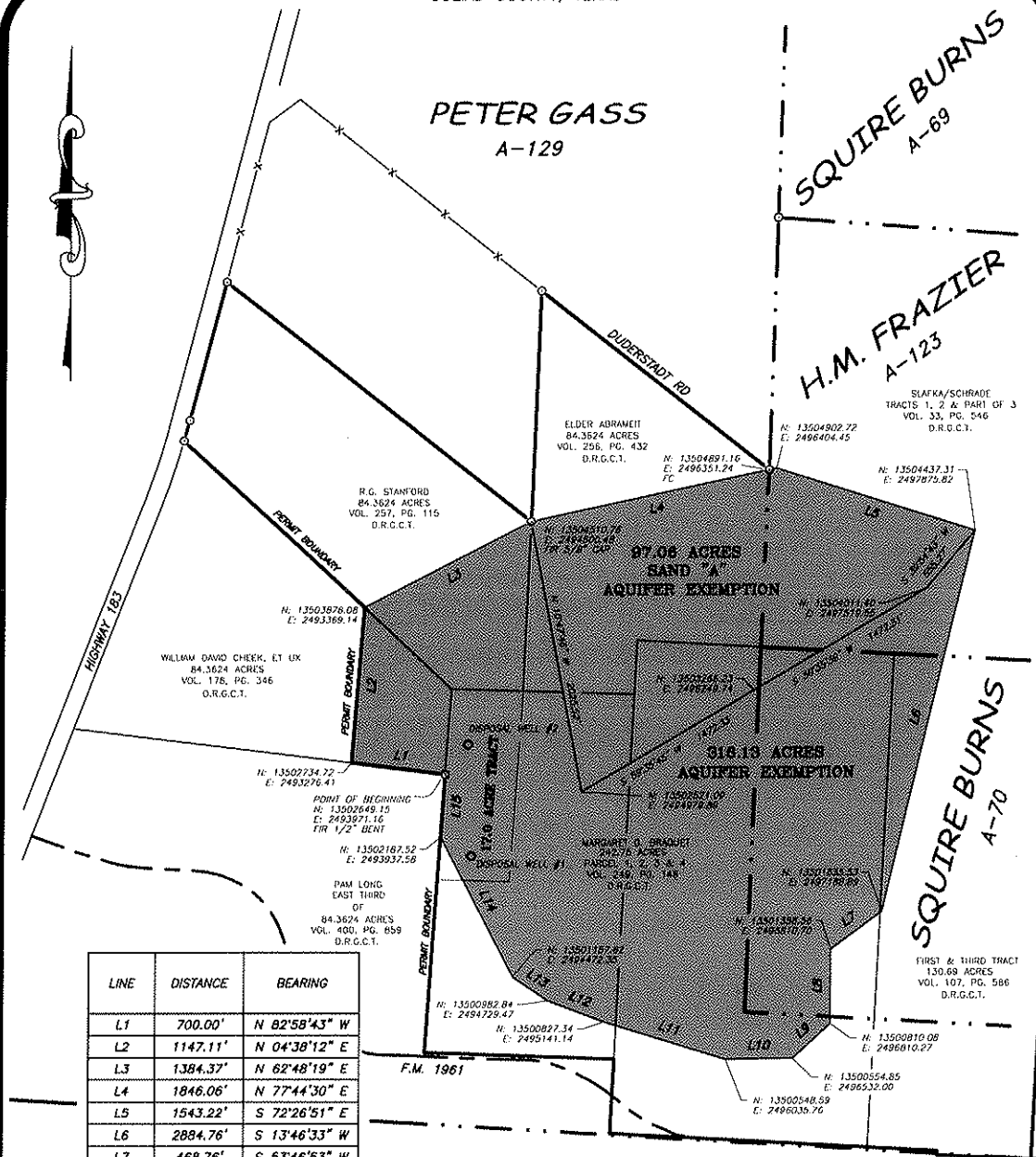


AE Survey Final.pdf ATT00003.htm



PETER GASS

A-129

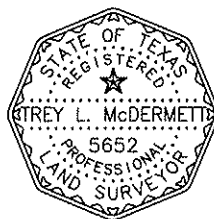
SQUIRE BURNS  
A-69H.M. FRAZIER  
A-123SLAFKA/SCHRADE  
TRACTS 1, 2 & PART OF 3  
VOL. 33, PG. 546  
D.R.G.C.T.

LINE	DISTANCE	BEARING
L1	700.00'	N 82°58'43\" W
L2	1147.11'	N 04°38'12\" E
L3	1384.37'	N 62°48'19\" E
L4	1846.06'	N 77°44'30\" E
L5	1543.22'	S 72°26'51\" E
L6	2884.76'	S 13°46'33\" W
L7	468.76'	S 53°46'53\" W
L8	548.48'	S 00°02'41\" W
L9	377.60'	S 47°28'27\" W
L10	496.28'	S 89°16'39\" W
L11	937.03'	N 72°41'37\" W
L12	440.06'	N 69°18'29\" W
L13	310.90'	N 55°47'34\" W
L14	1160.46'	N 27°26'26\" W
L15	462.86'	N 04°09'40\" E

PLOT DATE: 10-26-12 1:02 PM

I HEREBY CERTIFY THAT THIS PLAT IS  
TRUE AND CORRECT TO THE BEST OF  
MY KNOWLEDGE, AND BELIEF.

TREY L. McDERMETT  
R.P.L.S. # 5652



500 0 500 1000 1500 2000 2500 3000

SCALE: 1" = 1000 FEET

**BLACK GOLD SURVEYING & ENGINEERING, INC.**

Land & Oilfield Surveying  
2711 West Front St. P.O. Box 3416  
Alice, Texas 78333  
blackgoldsurveying@abcglobal.net  
(361) 668-9200 Fax (361) 668-9204

SURVEYOR'S NOTE:  
THE INFORMATION SHOWN ABOVE WAS SUPPLIED BY THE CLIENT AND  
THE SURVEYOR MAKES NO GUARANTEE AS TO ITS ACCURACY.

COORDINATES SHOWN ARE BASED ON THE TEXAS STATE PLANE  
COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE  
WITH CONTROL ESTABLISHED BASED ON THE FOLLOWING  
COORDINATE VALUES FOR NGS STATION 'SCHROEDER':  
Y=13,484,798.55 X=2,339,542.22

**A PLAT OF:**

AQUIFER EXEMPTION AREA FOR:

**URANIUM ENERGY CORP.**

BEING A CALLED 318.13 ACRE AQUIFER EXEMPTION, BEING  
OUT OF A CALLED 1,140.42 ACRE PERMIT AREA AND ALSO  
BEING OUT OF THE PETER GASS SURVEY, A-129, THE  
SQUIRE BURNS SURVEY, A-69, THE H.M. FRAZIER SURVEY,  
A-123 AND THE SQUIRE BURNS SURVEY, A-70 AND BEING  
LOCATED APPROXIMATELY 13.8 MILES, N 06°54' E OF GOLIAD,  
TEXAS.

Completion Date: 10-26-12 File Name: 121021

Scale: 1"=1000' Surveyed by: NA

Drawn by: TM Checked by: TM

JOB #: 121021

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